



General Assembly

February Session, 2022

***Raised Bill No. 5376***

LCO No. 2253



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

***AN ACT CONCERNING RECOVERY OF ATTORNEYS' FEES UNDER  
THE STATE CODE OF ETHICS.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1       Section 1. Subsection (c) of section 1-82 of the 2022 supplement to the  
2       general statutes is repealed and the following is substituted in lieu  
3       thereof (*Effective October 1, 2022*):

4       (c) [If a judge trial referee finds, after a hearing pursuant to this  
5       section, that there is no probable cause to believe that a public official or  
6       state employee has violated a provision of this part, section 1-101bb or  
7       section 1-101nn, or if the board determines that a public official or state  
8       employee has not violated any such provision, or if a court of competent  
9       jurisdiction overturns a finding by the board of a violation by such a  
10      respondent,] If (1) after a hearing pursuant to this section, the board  
11      determines that a matter was brought without any substantial  
12      justification, or (2) upon a subsequent appeal of the board's decision, a  
13      court of competent jurisdiction makes such determination, the state  
14      shall pay the reasonable legal expenses of the respondent as determined

15 by the Attorney General or by the court, if appropriate. If any complaint  
16 brought under the provisions of this part, section 1-101bb or section 1-  
17 101nn is made with the knowledge that it is made without foundation  
18 in fact, the respondent shall have a cause of action against the  
19 complainant for double the amount of damage caused thereby and, if  
20 the respondent prevails in such action, the respondent may be awarded  
21 by the court the costs of such action together with reasonable attorneys'  
22 fees.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2022	1-82(c)
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***Statement of Purpose:***

To modify the reasons for granting payment of attorneys' fees by the state to an aggrieved respondent under the code of ethics for public officials.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*